

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D.C.

ORDER NO. 3197

IN THE MATTER OF:

Served July 12, 1988

Application of TRI STATE CASINO)
TOURS, INC., for Temporary)
Authority — Charter and Special)
Operations)

Case No. AP-88-29

By application filed July 6, 1988, Tri State Casino Tours, Inc. ("Tri State" or "applicant"), seeks temporary authority to transport passengers, together with mail, express, and baggage in the same vehicle as passengers, between points in the Metropolitan District 1/ in charter and special operations.

Tri State is a Delaware corporation with offices in Washington, DC. Its "facilities/operations base" is in Gainesville, VA. Applicant holds a certificate of public convenience and necessity issued in 1985 by the Interstate Commerce Commission ("ICC") to transport passengers in charter and special operations. Applicant is a member of the American Bus Association and United Bus Owners Association.

Tri State's revenue equipment consists of four motor coaches manufactured between 1973 and 1988 and ranging in seating capacity from 43 to 47. Applicant's proposed charter rates for vehicles seating 43 to 46 are \$50 an hour for trips up to 10 hours, with a 5-hour minimum of \$250. For trips of 10 to 20 hours, the proposed charter rate is \$40 an hour, with a minimum of \$400. For vehicles seating 46 to 47, the proposed charter rates are \$40 an hour for trips up to 10 hours, with a 5-hour minimum of \$200. For trips of 10 to 20 hours, the proposed charter rate is \$35 an hour, with a \$350 minimum. 2/ The proposed rate for special operations is \$15 per person, per trip.

Tri States's balance sheet for September 30, 1987, shows \$42,171 in current assets \$277,054 in fixed assets after depreciation, and \$3,505 in other assets, for a total of \$322,730. Applicant lists current liabilities of \$47,505, long-term liabilities of \$428,985,

1/ To the extent that this application could be interpreted to include transportation solely within the Commonwealth of Virginia, it is hereby dismissed pursuant to Title II, Article XII, Section 1(b) of the Compact.

2/ As both seating capacity ranges include 46 passengers, the record is unclear as to which rate applies to applicant's one 46-passenger vehicle.

capital stock of \$100, and a deficit to retained earnings of \$153,860. Tri State's operating statement for the year ended September 30, 1987, shows operating income of \$241,073 and operating expenses of \$273,700 after depreciation and taxes, for a net operating loss of \$32,605 for the period.

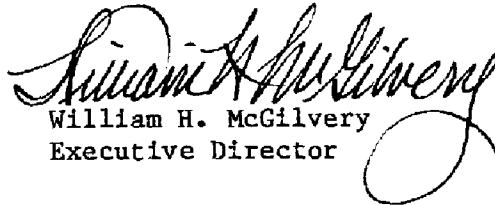
In support of its application, Tri State asserts that it receives as many as five requests a week for service which it must decline for lack of authority. Some of these requests come from applicant's ICC customers. By this application Tri State seeks authority to meet these requests and provide a complete service to its customers. Applicant asserts that there are not enough buses available to meet current demand for service and that the demand is increasing.

Tri State submitted four notarized statements in support of its application. These were from Ms. Shirley Norwood, vice president and co-owner of Tailored Tours, Inc.; Ms. Elaine Curl, president and owner of The Convention Store; Mr. Kenneth Victor, president and owner of Beacon Travel, Inc.; and Ms. Jean F. Carcione, president and owner of National Fine Arts Associates, Inc. These statements are available for review at the office of the Commission.

The standards for temporary authority are set forth in the Compact, Title II, Article XII, Section 4(d)(3). The essential elements are (1) an immediate and urgent need for service, (2) no carrier capable of meeting such need, and (3) fitness of the applicant. This order will provide notice of this application, and a brief time will be provided for the filing of protests, if any. No extension of time will be granted.

THEREFORE, IT IS ORDERED that any person desiring to protest this application shall file a protest in accordance with Commission Rule No. 14 at the office of the Commission, 1625 Eye Street, N.W., Suite 316, Washington, DC 20006, no later than Friday, July 22, 1988, and shall simultaneously serve a copy of such protest on applicant's attorney, Dennis Dean Kirk, Esquire, Suite 1213 National Place North, 1331 Pennsylvania Avenue, N.W., Washington, DC 20004.

FOR THE COMMISSION:


William H. McGilvery
Executive Director